

HOUSE BILL 310

D4

6lr2030

By: **Delegate Dumais**

Introduced and read first time: January 27, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Divorce – Separation Agreement – Corroboration of Testimony**

3 FOR the purpose of repealing provisions establishing that, in a suit for absolute divorce on
4 the grounds of voluntary separation, a separation agreement is full corroboration of
5 the plaintiff's testimony that the separation was voluntary under certain
6 circumstances; establishing that, in a suit for absolute divorce on the grounds of
7 mutual consent, a separation agreement is full corroboration of the plaintiff's
8 testimony that the separation was mutual under certain circumstances; and
9 generally relating to divorce.

10 BY repealing and reenacting, with amendments,
11 Article – Family Law
12 Section 8–104
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2015 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Family Law**

18 8–104.

19 In a suit for absolute divorce on the grounds of [voluntary separation] **MUTUAL**
20 **CONSENT**, a separation agreement is full corroboration of the plaintiff's testimony that the
21 separation was [voluntary] **MUTUAL** if the agreement:

22 (1) states that the spouses [voluntarily] **MUTUALLY** agreed to separate;
23 and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) is executed under oath before the application for divorce is filed.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2016.